

AMENDED IN ASSEMBLY MAY 1, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2850

Introduced by Assembly Member Honda

March 2, 2000

~~An act relating to labor.~~ *An act to add Section 554.5 to the Labor Code, relating to employment.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2850, as amended, Honda. Labor: ~~high technology computer professionals and engineers.~~

Existing law prescribes general requirements regarding hours of work and overtime compensation, and provides certain exemptions to those general requirements.

This bill would additionally exempt from those general requirements persons employed as computer professionals, as specified.

~~Under existing law there are various provisions relating to the regulation of employers and employees, including those regulating high technology professionals and engineers.~~

~~This bill would express the intent of the Legislature to enact legislation that would conform state law to federal law relative to high technology professionals and engineers.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. It is the intent of the Legislature to enact legislation that would conform state law to federal law relative to high technology professionals and engineers.~~

SECTION 1. Section 554.5 is added to the Labor Code, to read:

554.5. The hours of work requirements of this division shall not apply to any employee who is a computer systems analyst, computer programmer, software engineer, or other similarly skilled worker who, if employed on an hourly basis, is compensated at a rate of not less than twenty-seven dollars and sixty-three cents (\$27.63) per hour, and whose duties for more than one-half of the employee's work time are any of the following:

(a) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software, or system functional specifications.

(b) The design, development, documentation, analysis, creation, testing, or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications.

(c) The design, documentation, testing, creation or modification of computer programs related to machine operating systems.

(d) A combination of duties described in subdivisions (a), (b), and (c), the performance of which requires the same level of skills.